

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
05-CV-2059 (JMR/JSM)

Wallace James Beaulieu)
)
 v.) ORDER
)
State of Minnesota)

Petitioner objects to the Report and Recommendation, issued September 7, 2005, by the Honorable Janie S. Mayeron, United States Magistrate Judge. The Magistrate recommended denying petitioner's motion to proceed in forma pauperis and petition for habeas corpus. Petitioner's objections to the Report were timely filed, pursuant to Local Rule 72.2(b).

Based upon a de novo review of the record herein, the Court adopts the Magistrate's Report and Recommendation [Docket No. 4]. Accordingly, IT IS ORDERED that:

1. Petitioner's application for writ of habeas corpus [Docket No. 1] is denied.
2. Petitioner's motion to proceed in forma pauperis [Docket No. 2] is denied.
3. This action is summarily dismissed without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 24th, 2005

s/ JAMES M. ROSENBAUM
JAMES M. ROSENBAUM
United States Chief District Judge